



1645

PATENT
Attorney Docket No. 045636-5081-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Jean FIORAMONTI *et al.***)
)
Application No. **10/509,255**) Art Unit: **1645**
)
Filed: **May 23, 2005**) Examiner: **L. Tongue**
)
For: **USE OF LACTOBACILLUS FARCIMINIS**)
 FOR THE PREVENTION OR TREATMENT)
 OF DIGESTIVE PATHOLOGIES)

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT TRANSMITTAL FORM

1. Transmittal herewith is a Response to the Notice of Non-Compliant Amendment dated March 27, 2006.
2. Constructive Petition: Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **constructive petition for extension of time** in accordance with 37 C.F.R. 1.136(a)(3).

Dated: **April 26, 2006**
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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

In Response to the Notice of Non-Compliant Amendment mailed March 27, 2006, the time period for response which extends to April 27, 2006 in the above-identified patent application please consider the following remarks intended to place the application in condition for allowance.

Remarks begin on page 2 of this paper.